

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 22 2003

Applicant: M.R. Bauer

Art Unit: 3627

Application No.: 09/556,647
Confirmation No: 7493

Examiner: Fischer, A.

Filed: 04/24/2000

)

Title: Material Browser

)

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES
NOTICE OF APPEAL & BRIEF SUBMITTALMS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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GROUP 3600

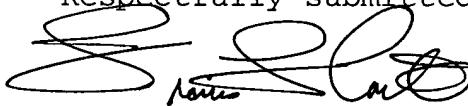
Sir:

In accordance with 37 CFR 1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the examiner dated 10/22/2003, finally rejecting claims 15-18, 21, 22, and 31-39, and submits the attached Notice of Appeal, form PTO/SB/31.

In accordance with 37 CFR 1.192, Applicant herewith encloses an Appeal Brief, in triplicate.

Please charge the \$330.00 fee, under Section 1.17(b), for filing the Notice of Appeal; and the \$330.00 fee, under Section 1.17(c), for filing the Brief to Deposit Account No. 14-0225 of NCR Corporation in accordance with the attached Fee Transmittal.

Respectfully submitted,



Francis L. Conte, Attorney
Registration No. 29,630
Tel: 781-592-9077

Date: 19 Dec 2003

6 Puritan Avenue
Swampscott, MA 01907
Tel: 781-592-9077 Fax: 781-592-4618
Attachments:

Notice of Appeal, form PTO/SB/31
Fee Transmittal for FY 2004
Appeal Brief - in triplicate

CERTIFICATE OF MAILING (37 CFR 1.8a)

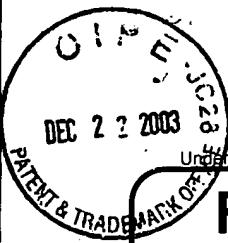
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



(Name of person mailing paper) (Signature of person mailing paper)

19 Dec 2003

(Date)



PTO/SB/17 (0-03)

Approved for use through 07/31/2006. OMB 0650-0032
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 660)

Complete if Known

Application Number	09/556,647
Filing Date	04/24/2000
First Named Inventor	M.R. Bauer
Examiner Name	Fischer, A.
Art Unit	3627
Attorney Docket No.	NCR-8778

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METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

14-0225
NCR Corporation

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1)		(\$ 0)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
				-20** =	X 18 = 0
				- 3** =	X 86 = 0

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	330
1402 330	2402 165	Filing a brief in support of an appeal	330
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)		Publication Fee	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 660)

(Complete if applicable)

Name (Print/Type)	Francis L. Conte	Registration No. (Attorney/Agent)	29630	Telephone	781-592-9077
Signature				Date	19 Dec 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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